

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20982 of 2018

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Gopalpur PACS a Society registered under Bihar Co-operative Societies Act, 1935, having its registered address at village-Lodipur, P.S. Chandi, District-Bhojpur, through its Chairman Awnish Kumar, S/o Subhash Chandra Sharma, R/o-village-Lodipur, P.S. Chandi, District-Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Bhojpur, Ara
2. The District Magistrate, Bhojpur, Ara
3. Managing Director, Bihar State Food & Civil Supplies Corporation, Patna
4. District Manager, Bihar State Food & Civil Supplies Corporation, Bhojpur, Ara
5. District Cooperative Officer, Bhojpu, Ara
6. Godown Manager, Bazar Samiti, Bhojpur, Ara

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Harsh Singh
For the State : Mr. S. Raza Ahmad, AAG-5
Mr. Alok Ranjan, A.C. to AAG-5
For the B.S.F.C. : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-11-2018

The petitioner has prayed for the following reliefs:-

- “i. For passing a writ in the nature of Mandamus or any other writ order or direction commanding the Respondent for paying the dues of the petitioner pursuant to the agreement for the year 2016-17 amounting to Rs. 10,02,909.6 (422.10 quintals CMR @ 2376 per quintals), with penal interest as despite several reminders and notices the same has not been paid.*
- ii. For passing a writ in the nature of Mandamus or any other writ order or direction commanding the Respondent for paying the dues of the petitioner of Rs. 27,062.64 (11.39 quintals CMR @ 2376 per quintals) which were delivered by the mini truck on 31.07.2017 bearing truck no. BR-01-GF-3277, whereas the same has been shown by the godown manager as the same has been delivered by truck*



no. BR-3G-2936, which is an incorrect truck number and the petitioner never claims to have deliver the said CMR by the said truck.
iii. any other writ or order or direction to which the petitioner is found by this Hon'ble Court may kindly be issued."

In view of the aforesaid, the present writ petition is disposed off with liberty to the petitioner to approach the respondent nos. 2/3 by filing a representation within a period of four weeks from today and in case, such a representation is filed, the same shall be disposed off by the respondent nos. 2/3 by a reasoned and speaking order within a period of eight weeks thereafter.

It is further directed that in case, the authorities find that any admitted outstanding dues is pending for payment, the same should be paid within a period of eight weeks of the decision to be taken by the respondent nos. 2/3, failing which the outstanding amount of due shall carry an interest of 18 % per annum.

(Mohit Kumar Shah, J)

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